

SB 5445-S.E - DIGEST

(AS OF SENATE 2ND READING 3/10/05)

Finds that the intent of Initiative 297 is clearly stated in the intent and policy sections of the cleanup priority act as passed by the voters. The cleanup priority act makes the cleanup of contamination the top priority at sites with hazardous or mixed waste contamination. The cleanup priority act should be interpreted by the courts consistent with the clear intent of the voters, and the findings and clarifications in this act.

Finds that the cleanup priority act does not regulate radioactive materials, medical isotopes, other radioactive substances, or facilities exclusively regulated by the United States pursuant to the federal atomic energy act 42 U.S.C. Sec. 2011 et seq.

Finds that this act is not intended, nor may it be interpreted, to adversely affect the transportation, manufacturing, storage, or use of any hazardous substance or radioactive materials necessary for medical research, medical treatment, or manufacturing or industrial processes.

Declares it is in the interest of the state to clarify as quickly as possible that the cleanup priority act does not impact any business operation, or federal or private facility, that was not intended to be impacted by the cleanup priority act. Consistent with the intent of the voters, the legislature finds that the universe of regulated hazardous or dangerous wastes was not expanded by the passage of the cleanup priority act. Because court action has prevented the normal role of the department of ecology from issuing defining or interpretive rules, the legislature finds that adoption of the amendments to the cleanup priority act will ensure that the intent of the cleanup priority act is understood and clarified for the courts as well as for businesses or cleanup operations without delay.